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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,837	07/10/2003	Hugene McMurtre	CE10179N (78909)	2683
22242	7590	12/10/2004	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			TAN, VIBOL	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/616,837	Applicant(s) MCMURTRE, HUGENE	
	Examiner Vibol Tan	Art Unit 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Gu et al. (U. S. PAT. 6,426,683).

In claim 1, Gu et al. teaches all claimed features in Fig. 5, an apparatus for improving a stop band response of a surface acoustic wave device comprising: a surface acoustic wave device (51) having an output (69) and further having external electromagnetic coupling (58) and acoustic coupling (56); and a cancellation network (65, 67) coupled to the surface acoustic wave device to reduce external electromagnetic feed through (inductive and soft coupling); wherein the cancellation network (65, 67) reduces the amount of external electromagnetic feed through at the output (col. 5, line 46) of the surface acoustic wave device.

In claim 2, Gu et al. further teaches the apparatus of claim 1 wherein the cancellation network is selected from a group comprising at least a passive network (65, 67) and an adjustable network.

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In claim 3, Gu et al. further teaches the apparatus of claim 1 wherein the surface acoustic wave device is a surface acoustic wave filter (51).

In claim 4, Gu et al. further teaches the apparatus of claim 1 comprising: an input matching circuit coupled to the surface acoustic wave device; and an output matching circuit coupled to the surface acoustic wave device (claim 3 of Gu ref.).

In claim 5, Gu et al. further teaches the apparatus of claim 4 wherein the cancellation network cancels electromagnetic feed through (inductive and soft coupling and parasitic shunt impedances) in the input matching circuit and the output matching circuit.

In claim 6, Gu et al. further teaches the apparatus of claim 1 wherein the cancellation network reduces external electromagnetic feed through at the output of the surface acoustic wave device by at least 2dB (col. 5, line 12; As a result of the incorporation of input and output electrical components 65 and 67, the return loss of filter circuit 50 is improved to at least 16 dB within the passband).

In claim 7, Gu et al. further teaches the apparatus of claim 1 wherein the cancellation network reduces internal electromagnetic feed through (parasitic shunt impedances) at the output of the surface acoustic wave device.

Methods claims 8-14 correspond to detailed circuitry already discussed similarly with regard to apparatus claims 1-7.

In claim 15, Gu et al. further teaches in Fig. 3 wherein the cancellation network is an adjustable network (36).

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Methods claims 16-23 correspond to detailed circuitry already discussed similarly with regard to apparatus claims 1-7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vibol Tan whose telephone number is (571) 272-1811.


The examiner can normally be reached on Monday-Friday (7:00 AM-4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike J. Tokar can be reached on (571) 272-1812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vibol Tan

Primary Examiner, AU 2819


VIBOL TAN
PRIMARY EXAMINER